IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY FIFTH DAY OF AUGUST
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE V.V.S.RAO**

**WRIT PETITION NO : 24997 of 2000**

Between:

1. The School Educational Committee

Sam's Aided Upper Primary School,

Rep. by its Chairman Smt.P.Lalithamma,

W/o.P.Srinivasa Rao,

Nandyal, Kurnool District.

2. Varada Venkateswara Reddy,

S/o.Venkata Reddy,

Head Master, Sam's Aided Upper Primary School,

Nandyal, Kurnool District.

**..... PETITIONER**

AND

1. The Commissioner and Director of School Education,

Government of Andhra Pradesh, Hyderabad.

2. The District Educational Officer, Kurnool.

3. The Deputy Inspector of Schools,

Urban Range, Kurnool

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue any writ or order or direction particularly a Writ of Mandamus declaring the inaction of the first respondent in granting permission for take over of the Sam's Aided Upper Primary School, Nandyal by the Municipality Management as per its resolution No.322, dated 14.8.1987 of the Municipal Council, Nandyal Municipality as illegal, irregular, arbitrary, unjustified, unreasonable, unconstitutional and unsustainable and direct the respondents to grant necessary permission forthwith for transfer of the management of the school to the Nandyal Municipality.

**Counsel for the Petitioners: MR. K. MURALI KRISHNA representing MR.P.VEERA REDDY**

**Counsel for the Respondent Nos.1 to 3: GP FOR SCHOOL EDUCATION**

**The Court made the following :**

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION NO.24997 OF 2000

ORDER:

The School Education Committee of Sam's Aided Upper Primary School, Nandyal, and Head Master of the said School filed the present Writ Petition seeking a direction to respondents to grant permission to Nandyal Municipality to take over the petitioner school.

It is the case of the petitioners that the Municipality passed Resolution No.322, dt.14.8.1987 agreeing to take over Sam's Aided Upper Primary School, and in spite of the same the respondents are not granting permission to the Municipality.

When the matter was called for hearing, learned Advocate, Sri K.Murali Krishna, learned counsel representing Sri P.Veera Reddy, learned counsel for the petitioners, and the learned Assistant Government Pleader for School Education submits that the Municipality itself has passed another Resolution rescinding its Resolution No.322, dt.14.8.1987. Now, the Municipality is not willing to take over Sam's Aided Upper Primary School.

In that view of the matter, the Writ Petition has become infructuous and is accordingly dismissed as infructuous. No costs.

_____ (V.V.S.RAO, J)

25.8.2004

bnr

To

1. The Commissioner and Director of School Education,

Government of Andhra Pradesh, Hyderabad.

2. The District Educational Officer, Kurnool.

3. The Deputy Inspector of Schools,

Urban Range, Kurnool

4. 2 CCs to G.P. for School Education, High Court Bldgs.,

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